App. F IX-4

Previous Reference
~~35-14-42~~

194 (Confs)

File No. 220-41
Serial Nos. 2 ~~to~~

Later References.
GS. 14-42-50-57
+60 +61

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Four

Part B for March 44.

SUBJECT

Appointment of Mus. Dr.

Pl. Keep Two on Rec'd file
24-3-44

Serial No.

From

The Registrar High Court

Roc No 1167/41-42 Dt 28.3.1942

States that Certain Officers have applied for permission to avail themselves of Civil Courts vacation of 1942 and recommends the Consequential postings and appointments of Certain officers.

Among the Officers who have applied for permission to avail themselves of Summer vacation of 1942, Mr B.G. Rama Krishna Iyengar who is now acting as Subordinate Judge has been proposed to be reverted as Munsiff and then permitted to utilise the vacation.

2) It is submitted in this Connection that Mr N Samiengar who is Senr. to Mr Rama Krishna Iyengar has been proposed to be posted to the Charge of the Additional Court Subordinate Judge's Mysore from 1-4-1942 and Mr Ananta Murthy the immediate Senior to Mr Rama Krishna Iyengar has applied for leave from 1-4-1942. Both the files have been submitted Separately for orders

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

Serial No.

In the foregoing circumstances it is not clear why Mr Rama Krishna Iyengar has to revert as Munsiff during the vacation. ~~His~~ It would however appear from para 3 of the High Court letter that the above arrangement has been proposed as a result of the Officer having applied for permission to utilise the vacation. This arrangement will involve temporary reversion of the Officer from a higher to a lower post. ~~And see the Appointments of the other Officers assigned to the Judge~~

4) It is a point for orders as to whether Rama Krishna Iyengar may be granted leave for the period. This arrangement will obviate the necessity of his reversion. ~~And above the Appointments of the Officers (other than the Judge) assigned to the Judge.~~ for the period from 6-4-1942 to 16.5.1942. This will also avoid disturbing of Messrs R.P. Vasudeo & Chinnaraya Reddy from their present places.

P

Serial No.

5) From the leave Certificate of Mr Ramakrishna Iyengar Dy 19.9.1941 it is seen that he was entitled to 4 months and 24 days furlough on that date of which he has already utilised 2 months and 23 days, leaving a balance of 2 months and 1 day. He has the leave at credit.

6) The following points are for orders:-

(a) Whether the High Court may be asked to state whether Mr Ramakrishna Iyengar may be granted leave from 6.4.1942 to 16.5.1942 instead of reverting as Munsiff and then utilising the vacation. In either case the appointment of Mr Mallappa as acting Sub Judge will be unaffected.

(b) Whether the proposals of the High Court may be adopted. According to this, Mr Mallappa junior to Mr Ramakrishna Iyengar will be acting as Sub Judge while the senior officer Mr Ramakrishna Iyengar will be Counted as a Munsiff.

7) As Mr B. P. Ramakrishna Iyengar wants to avail himself of the leave

(Con 30/3)

NOTE—Contn. Sheet.

WD 04165—GPB—55,000—23-10-41

4) Leave and appointments of Munsifs
5-3-42

Cb File No. 6 of 194 /. General and Revenue Secretariat.

Serial No.

vacation / ~~do~~ ~~not want~~ to go on leave, the High Court have proposed ~~by~~ reversion to ~~the~~ period. Hence the proposals of the High Court may be approved.

Law Secretary) 3
30/3/42

5) The proposals of the High Court may be approved.

Minister (in Law) Hm 2 30/3/42

9) [illegible] 30/3 3 30/3/42

Hm 2 31/3/42

10) The appointment of Messrs S. N. Anantharaj, C. Abdul Basith and V. Narasimha Murthy as Munsiffs is a Council matter and may be disposed of by circulation.

Dewan) Hm 2 31/3/42

3 31/3/42

11) [illegible] 31/3/42

Hm 2 1/4/42

3 1/4/42

GOVT. LAW DEPT 2641 30 MAR 1942 GOVT OF MADRAS

MAR 30 1942 No 9949

Serial No.	
	12) The Notifications regarding the arrangement which are not Council matter may be issued immediately. Hm 2 11/4/42
	13) Submitted with 4 drafts (Cmr) 11/4 14) May be approved (Secy) 3/4
	15) Issue. Hm 2 11/4/42 For favour 3/4
2	To The Compiler Mysore Gazette No P 4526 Dt 1.4.1942 Notifies the posting of Mr. R.P. Vasudeo to the charge of the Second City Magistrate's Court, B'lore with effect from 6th April 1942
3	To The Compiler No P 4527 Dt 2.4.1942 Notifies the posting of V.C. Ramachandrau to the charge of the Munsiff-Magistrate's Court, Narasimharajapura
4	To The Compiler No P 4528 Dt 2.4.1942 Notifies the posting of Mr. G. Chinnaraya Reddi to the charge of the Munsiff-Magistrate's Court at Hunsu

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

5324/2

Ch File No. 220 of 1941.

General and Revenue Secretariat.

Serial No. 5

To

The Compiler, Mysore Gazette

No P.4529—8) 2.4.1942

Notifies the posting of Mr. T.N. Mallappa in the charge of the Court of the First Magistrate and additional Subordinate Judge, Kolar, with effect from 6th April 1942

16) Resubmitted after issue

(4/4/42)

17) For favour of circulation

Chief Secy
M.C.

Hm
2
2/4/42

3
2/4

CS.

2. APR. 19

Submitted with a circulation memo

Sd
4/4/42

Signed
4.4.42

Rec'd 7/4/42

For Disposal by Circulation. **No. C. 872**

.....9..1941-42

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Appointment of Messrs. S.N.Anantharaj, C. Abdul Basith and V. Narasimha Murthy as Ag. Munsiffs.

Circulated to the Council of Ministers.

By Order.

A. Rajeswaran
Chief Secretary to Government.

....4th April.....1942.

Minister for Finance and Revenue. (~~S e e~~ n). on dyh.

Minister for Law. (Seen)

5359 7.4.42 **Minister for Education.** 7.4.42

6202 7.4.42 **Minister for Local Self-Government and Public Health.** 18) Do have any list maintained of which selection is made. please put up.
Stg. 7.4.42

20) I would like to know if a list is being maintained by the H.C. and on what basis it is made. Please obtain the list & put it up
Stg. 11.4.42

6346—GPB—500—24-3-42

Law Secy. (with compliments)
No list is maintained by Govt. but appointments are made on the recommendations of the High Court.
Chief Secy M.C.)
8/4/42

6256 9.4.42

8

Serial No.

X

P. 268 Civil Rules of Practice & Vol II Mysore Code

21) S. 4 (c) of the Mysore Civil Courts Act 1883 lays down that the Judge of every Civil Court shall be appointed by the Govt of Mysore, provided that the appointment of a Munsiff shall shall be made only upon the nomination by the High Court of Mysore In virtue of this power vested in them, the High Court nominates from time to time the names of candidates for the post of Munsiffs and they are sanctioned by the Govt. In these special circumstances, it is for consideration whether any reference to the High Court is necessary in the matter.

Hm 2 11.4.42

Minister L.S.G.)

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 14.4.1942 No. 6349

22) (X) D.O. dated 28-11-1935 to the Chief Justice regarding the recruitment of Munsiffs is put up.

Hm 2 13.4.42

Minister L.S.G.)

(X) Kay W

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 13.4.42 No. 6370

23) From what I see from the files placed below I think the principles enunciated in para 10 of the High Court dated 21.4.1930

NOTE—Contn. Sheet.

Serial No.

and the procedure approved in B. O. no. P. 4591 dated 27/2.35. have to be observed in making nominations for Munsiffs' posts. The Registrar's letter does not show any light as to whether Messrs S. R. Anantha Raj, C. Adam Basith and K. V. Narasimha Moorthy were selected as above or Shemisky. If selected as above the lists maintained by the High Court may be obtained and for reference.

24) The composition of the various Communities in the Cadre of the judicial officers and whether the persons now recommended are related to any of the officers in the judicial cadre may be noted. If the above information is not available the file may be sent un-officially to the Registrar of the H. Court for furnishing the information immediately.

H.G.

14.4.42

Appointment of Munsiffs 5-9-42 12

General and Revenue Secretariat | C/S File No. 220 of 194| | [App. F. III—2

Serial No.

MAY 6 1942
No 11469

DE FFICE
8. MAY 1942
NO 9619

From
The Registrar High Court
Roc No 1167/41-42 & 5.5.1942

States that the High Court did not think it necessary to hold any test for Selection of Candidates for appointment as Munsiffs after 1935 and furnishes particulars relating to the service put in by Messrs Anantharaj and V. Narasimha Murthy and to the Standing of Mr Basette in the Bar.

37 Submitted for orders with references

Law Secretary) 3 5/5/42

Minister (in Law) Hm 2 5/5/42

3 6/5/42

Dewan) 7/5

May be considered in Council again

Mcc

9/5/42

~~For favour of circulation~~

Chief Secy) Hm 2 9.5.42
M.C. Mcc 9/5

Submitted with a circulation memo.

Sgd 11/5/42

Sgd 12/5

SECY. TO GOVT. DEPT. 5 MAY 1942 BANGALORE

GOVT. OF MYSORE.

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

13

For Disposal at a meeting.

No. C. 974

1941-42

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Selection of Munsiffs

Circulated to the Council of Ministers.

By Order,

M. S. [illegible]
12/5

Chief Secretary to Government.

11th May 194 2

7000(4)
12.5.42.

Minister for Finance and Revenue.

Minister for Law.

5885
14.5.42

Minister for Education.

7113
12.5.42

Minister for Local Self-Government and Public Health.

13.5.42

C.S.

Serial No.

From

The Registrar, High Court

Roc No 1574/41-42 Dt 1.7.1942

States that Mr C.V. Channappa, Munsiff-Magistrate Hunsur has applied for leave for one month from 9.7.1942 and recommends the appointment of Mr C. Abdul Basith, Advocate Bangalore, as acting Munsiff Second Grade for being posted to the Charge of the Munsiff-Magistrate's Court Hunsur.

The kind of leave proposed to be granted to Mr Channappa has not been mentioned by the High Court in the P.H.D. As the amount of leave applied for by the officer is only one month, the High Court can themselves grant the leave and there does not appear to be any need for Govt to notify the grant of leave.

2-With regard to the appointment of Mr C. Abdul Basith as acting Munsiff Second Grade, it is submitted that the High Court recently recommended the appointment of this gentleman as acting Munsiff and the Connected file is ~~still under~~ has been sent to the Council Section

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—28-10-41

15) Grant of leave to Mr C. V. Channappa and Consequential arrangements

File No. of 194 | General and Revenue Secretariat.

Serial No.

OFFICE OF THE MINISTER FOR LAW
No. 55
DEWAN'S OFFICE
3. JUL. 1942
No. 136
Council Matter

for the consideration of the Council. The file has now accordingly been returned to the branch.

3 Submitted for orders.

4 On the file which is pending decision of the Council, three candidates (viz) Messrs Nanjunda Rao, Abdul Barakath & Narasimhamurthy, were proposed by the High Court for the three temporary vacancies in the 2nd grade Munsiffs cadre. Pending decision of the Council in the previous case, Mr Nanjunda Rao's appointment as Registrar, 2nd class Court of Bangalore has been sanctioned.

5 Likewise, the recommendation of the High Court in this case also may be sanctioned. ~~pending decision in the previous case~~

Law Secretary. 3/7/42

6 The recommendation of the High Court may be sanctioned. This is a Council matter. This may be disposed of by circulation if approved.

Law Minister & Dewan 3/7/42

7 [illegible] 3/7/42

CHIEF SECRETARY 4. JUL. 1942 GOVT. OF MYSORE.

8 These are the papers referred by the Hon'ble Chief Secretary to the Council. Shall question of procedure be adopted in making selections? 3/7/42

Chief Secretary 4.7.42

3/7/42 10 hrs 4/7

16)

General and Revenue Secretariat | File No. | of 194 . | [App. F. III—2

Serial No.

From

The Registrar, High Court

No Roc 1526/41-42 Dt. 1.7.1942

States that Mr G. Narayanan Munsiff Cheyyar has applied for furlough on full average salary for one month from 15.7.1942 and recommends the appointment of Mr V. Narasimha Murthy as acting Munsiff Second Grade for being posted to the Charge of the Munsiff's Court Cheyyar.

The amount of furlough applied for by Mr Narayanan is only one month and as such the High Court may themselves notify the grant of the leave to the Officer.

With regard to the appointment of Mr V. Narasimha Murthy as acting Munsiff Second Grade, it is submitted that the High Court recently recommended the appointment of this gentleman as such and it was ordered that the matter might be considered at a Meeting of the Council. The connected file which was sent to the Council Section has not been received in the branch.

Submitted for orders

Council Matter

NOTE—Contn. Sheet.

CBM 7/7 m

WD 04155—GPB—55,000—23-10-41

leave to Mr G. Rajarajan and the Consequential arrangements

17

File No. | of 194 | General and Revenue Secretariat

Serial No.

Already decision of the Council in the previous case, the recommendation of the High Court, (as was done in the case of Mr Muthuraj) in this case also may be sanctioned

Law Secretary — 3/7/42

DEWAN'S OFFICE
3. JUL. 1942
NO 1366(4)

The recommendation of the High Court may be sanctioned. This is a Council matter and this may be disposed of by circulation of papers

Law minister & Dewan — 2.7.42

3/7/42

7/7

3/7/42

4.7.42

For favour of circulation

Chief secy W. C. — 9-7-42

9/7/42

17 18

General and Revenue Secretariat | File No. | of 194 | [App. F. III-2

Serial No.

1 (3)

Jud: The general question has been ordered to be considered at a meeting of the council. The file is linked.

(a)
47. Law Dept)
relevant)

Hoy
6.7.42

The nomination made by the Hc may be approved. The selections have, I am told, been made after personal interview of the candidates.

Hoy
8/7/42

For favour of circulation

Chief Secy
W.C.

Chief Secretary
9. JUL. 1942
Govt. of Mysore.

Cmr
9-7-42

3
9/7/42

Submitted with a circulation memo
Sd/-
8/7/42

Sgd
8/7

After receipt of Notes regarding the appointment of the three persons, a draft letter to C. J may be put up for approval

Hoy
7/8/42

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

19

For Disposal by Circulation. **No. C. 46**

1942-43.

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Proposal to appoint Messrs. C. Abdul Basith, B.A.,LL.B., Advocate, and V. Narasimha Murthy, M.A., LL.B., Superintendent, High Court, as acting Munsiffs.

Circulated to the Council of Ministers.

By Order.

10th July 1942. *Chief Secretary to Government.*

240. 11.7.42 **Minister for Finance and Revenue.** 11.7.42

Minister for Law. (Leave)

261 11.7.42 **Minister for Education.** 11.7.42

Left 11.7.42 **Minister for Local Self-Government and Public Health.** Please put up the file in which I have raised certain objections regarding these nominations.

456 13.7.42.

WD 06346—GPB—500—24-3-42

V.G. 11.7.42

Seen 14/7 Flag T. Invtd. with the connected file (linked.)

Please vide my note appended to. 40 12/7 Munsiff d. 8J) V.G. 16.7.42 12/7

This was in a sealed cover and this has now been handed to Nehru MPs

Serial No.

It is evident from the Registrar's letter dated 5.5.42 that the High Courts have ignored the procedure proposed by them and accepted by Govt. in their order no. P. 50.36.36 dated 16.3.36. Govt. was after a protracted correspondence and thorough enquiry of the question that the arrangement was arrived at. I cannot understand how the judges of the H. Courts can ignore the Govt. order without even making any efforts to get it modified if they so felt and make nominations according to their own ways. The High Courts have themselves said in their letter dated 7.2.36 that in order to guard themselves from the danger of nominating incompetent or unsuitable persons and to afford [illegible] opportunities to the members of bar practising in the mofussil places, it is desirable to test the capabilities of the candidates by inviting all applicants from time to time to submit themselves to an

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

practical test in writing judgments and which the Govt accepted in the G. O referred to above. I showed which of the authorities, the Govt court should be the right to observe the orders and rules, which should.

The present Selection of the candidates after personal interview to them without affording similar opportunity to other members of the Bar including those who are practising in the Mofussil cannot in any way be said to be the best Selection. This kind of Selection would only lead to favouritism and inefficiency but would surely create discontent in the young members of the Bar particularly of those who are practising in the Mofussil places.

Moreover I am unable to understand that each one of the candidates in question has a Basic is the Order of Justice

Serial No.

Ghani and two of the family are already in judicial Service apart from those in State departments. I do not think it is either desirable or conducive to the public interest to extend the patronage to a single family and thereby create a monopoly in the public Service to a single family.

Considering the above aspects I cannot consider that the nominations proposed are suitable, and hence may be rejected. In order, the St. Court has to be held that the procedure laid down in the above order should be adhered to.

In this connection it is a point to be examined how the proportion of two non-Brahmins to one Brahmin was fixed in the case of judicial appointments when no such proportion is being observed in the Gazetted ranks of other departments.

This question of nomination pending is one of the subjects to be discussed

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

C. 46

File No.

of 194 .

General and Revenue Secretariat

Serial No.

in the meeting and may be done accordingly.

14.7.42

Rec'd 15/7/42

For favour of Law Minister

15/7

Please put up a classified list of municipalities/Committees now as on 1938.

Please give this file on 28/7 with this reply

16/7

c974.

Extract from the Proceedings of the 21st ~~XXXX~~ *Meeting of the Council of Ministers held at Bangalore on* 23rd July 1942. ~~19XX~~

8. Subject. -

Selection of Munsiffs.

...

OPINION OF THE COUNCIL.

The recommendation of the High Court to appoint Mr. Abdul Basith and Mr. V. Narasimha Murthi as Munsiffs may be approved. The High Court may be requested that in making future selections, a suitable test may be adopted, and two lists, one for Brahmins and another for non-Brahmin candidates, might be sent to Government for approval.

(Signed) N. MADHAVA RAU,

DEWAN OF MYSORE.

Law Secretary with compliments.

24/7

24-7

24/7/42

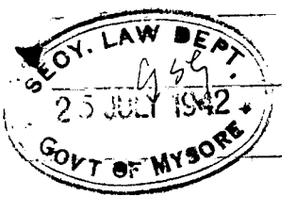
"EXTRACT"

Chief Secretary to Government. 24/7

Appointment of Messrs. C. Abdul Basith and V. Narasimha Murthy 1942
as acting Munsiffs

General and Revenue Secretariat | C/5 File No. | of 194 . | [App. F. III—2

Serial No.



D. E. N. Submitted.
Law Secretary 25/7/42
25/7

D. F. N. is submitted
Cus
25.7.42

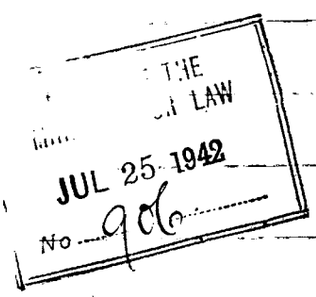
Minister for Law

25/7

S. N. Submitted.
Law Secty 25/7/42

S. N. is submitted
Cus
25.7.42

Dewan



NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

24)

Final Note by the Minister for Law.

Subject.— Proposal to appoint Messrs. C.Abdul Basith, B.A., LL.B., and V.Narasimhamurthy, M.A., LL.B., as acting Munsiffs.

The High Court have recommended that Messrs. C.Abdul Basith, B.A., LL.B., Advocate and V.Narasimha Murthy, M.A., LL.B., Superintendent, High Court, who are the next candidates on the list of persons selected by the Judges of the High Court for Munsiff's posts, may be appointed as acting Munsiffs, Second Grade, in certain leave vacancies.

The proposal was discussed in Council and the following resolution was recorded:-

"The recommendation of the High Court to appoint Mr.Abdul Basith and Mr.V.Narasimha Murthi as Munsiffs may be approved. The High Court may be requested that in making future selections, a suitable test may be adopted, and two lists, one for Brahmins and another for Non-Brahmin candidates, might be sent to Government for approval.

I solicit the gracious approval of His Highness to the Council resolution.

Bangalore,
25th July, 1942.

MINISTER FOR LAW.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Law regarding the proposal to appoint Messrs. C. Abdul Basith, B.A., LL.B. and V. Narasimhamurthy M.A., LL.B., as acting Munsiffs *for His Highness' gracious approval.*

N. Madhava Rau

Bangalore,
25th July 1942.

Dewan.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Proposal to appoint Messrs. C. Abdul Basith, B.A., LL.B., and V. Narasimhamurthy, M.A., LL.B., as acting Munsiffs.

Order.

1/8/'42

Chief Secy
Please see instructions on the file
7/8/42

8/5

Appointment of Munsifs 582/29

General and Revenue Secretariat | File No. | of 194 . | [App. F. III-2

Serial No.

The High Court recommended the appointment of the marginally named gentlemen as acting Munsiffs consequent on the grant of leave to Messrs G. V. Channappa and G. Natarajan.

(1) Mr C. Abdul Basith
(2) " V. Narasimha Murthy

The grant of leave to Mr Natarajan has already been notified and the High Court have stated in that connection that it is not necessary to appoint Mr V. Narasimha Murthy as acting Munsiff in that vacancy.

Flag V (Limited life) Cts 14-42-7

Flag IX (Limited life)

In view of this action has perhaps to be taken in this file in regard to the grant of leave to Mr Channappa only and the appointment of Mr Basith as acting Munsiff in that vacancy. A draft of a Notification is put up.

Two drafts (one Note & one letter) are put up

CRM 8/8

The notfn. may issue in the first instance. May be approved

Law Secretary 8/8/42

8/8/42

8-8-

To The Compiler Mysore Gazette

8/8/42

11 Vide p 939 of 8.8.42 Notifies the grant of leave to V. Channappa and the posting of Mr Basith as Munsiff Nagathala Hunsur

NOTE—Cont. Sheet.

WD 04165—GPB—65,000—23-10-41

30) Leave to Mr Gv. Channappa Munsif and Consequential arrangements

File No. 14 of 1942

General and Revenue Secretariat

Serial No.

Resubmitted after issue.

If approved, the file will be sent to C.B, for circulation.

(The draft of a letter to the Chief Justice will be put up on receipt of the file from the C.B. after circulation).

Sd/ Secretary 3/1187

Com 11/8 M

Cus 11-8-42

C.B.) 3/1187

SECY. LAW DEPT. 1122 11 SEP 42 GOVT. MYSORE

General and Revenue

Secretariat.

C974

311

SUBJECT:

Proposal to appoint Messrs.C.Abdul Basith, B.A., LL.B., and V.Narasimhamurthy, M.A., LL.B., as acting Munsiffs.

with a ~~confidential~~ Cover (Sealed)

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or ndications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders ~~before~~/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules for the conduct of business of Council in the Mysore Government Business Rules.) (*)

M. S. [illegible] 8/8

Chief Secretary to Government.

Through the Secretary to Government,

.....Law.....Department. 8-8-42

1225
13.8.42

Minister for Finance and Revenue. 12/8

Issue order & then perhaps draft letter to Mysore H.C. about future

1443
11.8.

Minister for Law. 11-8-42

11/8

Issued No P939 dt 8.8.42

845
13.8

Minister for Education. 15-8-42

1543
15/8

Minister for Local Self-Govt. and Public Health. 15.8.42

Law Secy
W/cs

NOTE.—Contn. sheet

WD 06360—GPB—500—23-3-42

15/8 17-8-42

Holding of a test for purposes of recruitment of Candidates to the cadre of munsifs 32

General and Revenue Secretariat

File No. 14 of 1942 [App. F. III—2

21. AUG. 1942 1766 Serial No.

Resubmitted with a draft of a letter to the Chief Justice with reference to Dewan's Minute dt 7.8.1942 and Law Minister's Minute dt 11.8.1942.

Reference is respectfully invited to the Council Resolution dt 23.7.1942.

The Draft is put up for approval.

It is not clear, if the High Court have selected in proportion 2 V.B.s & 1 B, out of the last-approved & Govt, to fill up future vacancies.

Nor is it made clear as to what procedure have the High Court to adopt, till the list is prepared & approved & Govt.

Law Secretary 3 9/8/42

Draft is put up for approval

Law Minister 20.8.42

Dewan

27/8/42

24-8-42

Chief Secy

Issued as minute

WD 04155—GPB—55,000—23-10-41

NOTE—Contn. Sheet.

CHIEF SECRETARY 27. AUG. 1942 GOVT. OF MYSORE

(1) Flag C

Flag B

Flag A

Cover 19/8

This remains unapproved

Flag will adopt the present procedure

To day please 31/8

31/8/42 30.8.42

Appointments to the Cadre of Munsiffs

)

File No. of 194 General and Revenue Secretariat.

Serial No.

To
The Chief Justice
D.O. No P 1582 Dt 2-9-1942
States that a suitable test may be adopted for selection of Candidates for the appoint to the Cadre of Munsiffs and two lists (1 for Brahmin and another for Non-Brahmin Candidates) sent to Govt for approval.

From
The Chief Justice
Dt 3-9-1942
States that he would Consult the other Judges and send up proposals to Govt.

From
The Chief Justice in Mysore
Dt 9-9-1942.
States that the Judges of the High Court have Come to the Conclusion that it is neither necessary nor desirable to hold a test examination for selection of Candidates to Munsiffs' appointments and requests approval to the nomination of Messrs B. Thimmappaiya, R, Sanjeevalu and K.R. Gopalakrishna Iyengar.
Submitted for orders

Govt
10/9
M

Holding of a test examination for recruiting Munsiffs. 1942

34)

General and Revenue Secretariat | File No. | of 194 | [App. F. III-2

SECRETARIAT OFFICE
16. SEP. 1942
2317

Serial No.

The reply of the Hyderabad Govt, to our letter is submitted with previous papers for consideration & orders.

Chief Secretary
Hon Law Secretary)

3
19/9/42
Ons
12-9-42
3
19/9/42

SECY. LAW DEPT. 2495 12 SEP 1942 GOVT OF MYSORE

CHIEF SECRETARY 12 SEP 1942 GOVT. OF MYSORE.

May be discussed at a meeting of the Council of appts.

Hon
16/9

Dewan)

3
16/9

Nil
19/9/42

Circulate
Hon
21/9

C.B.)

Submitted with a circulation memo.

Ba
19/9/42

Sgnes
Hon
23/9

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

1523/1947

Confidential.

35

For Disposal at a meeting. **No. C. 347**

Q 1942-43

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Holding of a competitive Examination for recruitment of Munsiffs.

Circulated to the Council of Ministers.

By Order,

M. S. [illegible]
26

22nd September 1942

Chief Secretary to Government.

2782/26.9.42 **Minister for Finance and Revenue.** Kll 26/9/42

25[illegible]/24.9.42 **Minister for Law.** 25/9

1615/26.9 **Minister for Education.** 26.9.42

2570/26/9 **Minister for Local Self-Government and Public Health.** Please put up this reading the G.O's P 180 dated 16.10.29 and P. ~~2[illegible]~~ 3239-33 dated 4.7.27

27.9.42

2/11

3/891

25/9

Recruitment to the Cadre of Munsiffs 36
1863

General and Revenue Secretariat — C/S File No. — of 194 — [App. F. III—2

Serial No.

Flag H

Counts Collection 28-29-24 Containing this Office letter No P 180 Dy 16.10.1929 to the Registrar High Court is placed rela- for reference.

In regard to the file embodying G.O. No 3239-53 Dy 4.7.1927 it is respectfully submitted that every one of the Counts file Countermarked on the previous references were looked into but no file containing the above mentioned G.O. Dy 4.7.1927 Could be traced.

Flag "I"

Counts file 263-26-1-6 embodying G.O. No P 5239-53 Dy 4.4.1927 is submitted herewith on the assumption that this is the file required to be submitted by this Office. Kind reference is respectfully invited to Annexure C to the G.O. Dy 4.4.1927 ordering the postponement

"J"

of the Consideration of the Question of the rules for Recruitment of Judicial Officers.

A copy of the report of the Mysore Laws Delays' Committee is obtained from the Law Dept and kept up as instructed by the Govt.

Submitted With reference to A.S.G Minister's Minute on the previous page.

Law Secretary 6/10/41

Asst. Secretary to Govt. Law Dept. 6/10/41

Minister

Asst. Secretary to Govt. Law Dept. 6/10/41

Minister L.S.G.

Govt. Secretariat

OFFICE OF THE MINISTER FOR LAW
Note Sheet.
Date 6.10.1941
No. 2857

WD 04155—GPB—55,000—23-10-41

38)

N O T E.

The present nominations have not been made in conformity with the procedure approved by Government in their letter No.P.4591 dated 28th February 1935. I have already stated in my note dated 14th July 1942 as to how the nominations made in contravention of the above Government Order, could not be fair and reasonable. With much reluctance, I agreed to the previous three nominations. Now the High Court want us to approve three more nominations made in their own way and have discredited the system of selection by holding a test. The contention of the High Court that the procedure laid down in 1935 as unsatisfactory is untenable and the argument that the six Judges could make a satisfactory selection is unconvincing. ~~Why should~~ How could the High Court presume that the posts of the two temporary Judges would be made permanent? In their letter No.R.O.C.775/34-35, dated 7th February 1935, the High Court themselves stated the ~~virtues~~ advantages of selection by a suitable test and to call it now unsatisfactory without giving a fair trial (I understand that a test has been held only once) is neither fair nor reasonable. As the candidates have neither been selected in conformity with the Standing Orders nor their particulars ~~are~~ known, we are not in a position to assess the merits of the High Court nominees. The Government are responsible to the legislature for these appointments and I am sure, Government will have to meet criticism at the hands of the non-official members in the Assembly and the Council, if the nominees which are neither in conformity with the approved procedure, nor representative in character are approved. In these circumstances, I have no alternative but to suggest that we should veto the present nominations and ask the High Court to make nominations in accordance with the procedure

Sd/-

39)

laid down in 1935, having regard to the communities which are not adequately represented.

At present, Government have powers of appointment of Subordinate Judges and District Judges and it is only in the case of Munsiffs, Section 4 of the High Court Act invests the High Court with powers of nomination only. It is rather peculiar why the High Court should be invested even with these limited powers in the case of Munsiffs. In the British Provinces, (except perhaps in Madras xxxx) the High Courts have no powers of appointment of Judicial Officers. This practice has been adopted, I think, in the interests of the prestige of the High Courts. If the High Courts are the appointing authorities, they would naturally be liable to criticism by legislature, and it is not desirable that independent bodies like the High Courts should be ~~liable to criticism by the legislature.~~ subject to such criticism by the Legislature. Nor is it reasonable to expect the Government to take the responsiblity for the nominations ~~or~~ may appointments made by the High Court. It is probably from this point of view that in the British Provinces, the High Courts are not the appointing authorities of Judicial Officers and I would suggest that Section 4 of our High Court Act be amended, if necessary, so that the Government may have full power to appoint Munsiffs. If it is so desired, a Committee having the Chief Justice as Chairman, may be appointed as suggested by some of the members of the Laws' Delays' Committee of 1926. Another point in favour of the amendment is this. At present, the powers of appointment of Munsiffs being divided between the High Court and the Government, there has always been, and will be, ~~a hitch~~ differences between them. Unless there is a mutual adjustment between the Government and the High Court, the present system is unworkable. It may happen that, in the larger interests of the country, Government may desire a particular candidate or a community

&c

community which forms about 5% of the population. This is a very unfair and disproportionate distribution of the appointments. Reservation of a lion's share of the appointments to a single community leaves relatively a small percentage of appointments to the Non-Brahmin communities which form the bulk of the population. I cannot understand how the proportion of 2 Non-Brahmins: 1 Brahmin, was fixed in the Government Order dated 28th November 1935, whereas, to be consistent, it ought to have been fixed as two special (reserved for Non-Brahmins): 1 general (to be filled up by the best candidate irrespective of the community). And to find out the best candidates, a test has to be held naturally. In the absence of this, it cannot be considered that the third vacancy should go to a Brahmin.

In view of the fact that experience has shown in other Departments that all general vacancies are filled up as a matter of course by candidates of the Brahmin communities, I would suggest that, irrespective of the percentage of the Non-Brahmins, a rule may be made that out of every five appointments, four may be treated as special and one as general. By the adoption of such a rule, the Brahmin community would not get more than 20% of the appointments, even if all the general vacancies were to go to the Brahmin community for want of best candidates among Non-Brahmins and there would be at least 80% of the appointments available for the Non-Brahmin communities, among whom there is an increasing number of qualified young men available.

H. B. [illegible]

13. 10. 42

42

Re-Circulated.
For Disposal at a meeting.

No. C. 347

1942-43

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Holding of a competitive Examination for recruitment of Munsiffs.

RE - *Circulated to the Council of Ministers.*

By Order,

16/10

16th October 1942

Chief Secretary to Government.

Minister for Finance and Revenue. 18.10.42

Minister for Law. 16.10.42

1992 20.10

Minister for Education. 21.10.42

Minister for Local Self-Government and Public Health. 21.10.42

e347

(43)

Extract from the Proceedings of the Twenty-eighth *Meeting of the Council of Ministers held at Bangalore on* 26th November *194 2*

Subject:-

Holding of a competitive examination for recruitment of Munsiffs.

OPINION OF THE COUNCIL.

Subject to further consultation with the High Court regarding communal proportion and other points discussed in connection with the selection of Munsiffs, the proposal of the High Court to appoint the following as Munsiffs as vacancies arise may be approved:--

1. Mr. B. Thimmapparaj Urs, Pleader of Mysore,
2. Mr. R. Sanjeevalu, Advocate of Bangalore, and
3. Mr. K. R. Gopivallabhiengar, Advocate of Bangalore

(Sd) N. MADHAVA RAU,
Dewan of Mysore.

Law Secretary
with compliments.

25/11

28 11 42

"EXTRACT"

M. S.

Chief Secretary to Government.

G.R.S III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

OFFICE OF THE MINISTER FOR LAW
DEC 2 1942
No.

FICE
4. DEC. 1942
426D

CHIEF SEC'Y
28 NOV. 1942
525
GOVT. OF MYSORE.

The other points in the Council resolution may be noted for putting up drafts of D.F. IV

Chief Secy
29.

The other point referred to is that the prosecution of offences should be by Brahmins & non Brahmins against Non Brahmins as a general

29/11

30/11/42

Submitted with a D.F.N and of a letter (Law Secretary)

D.F. IV submitted.

2.12.42

SECY. LAW DEPT.
5880
GOVT OF MYSORE

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Signed final note in the file.

WD 05636—GPB—36,000—20-3-40

95)

Final Note by the Minister for Law

Subject.— Holding of a competitive examination for recruitment of Munsiffs.

His Highness was pleased to sanction on the 1st August 1942 the appointment of Messrs. C. Abdul Basith and V. Narasimha Murthy as acting Munsiffs and the proposal to adopt a suitable test for making future selections of candidates for appointment as Munsiffs. The High Court were addressed in the matter of a suitable test.

The Chief Justice has stated in reply that after full consideration, the Judges of the High Court have come to the conclusion that it was neither necessary nor desirable to hold a test examination to assist them in selecting candidates for nominations to Munsiffs' appointments and has pressed again for approval to the selection of

(1) Mr. B. Thimmapparaj Urs, Pleader, Mysore,

(2) " R. Sanjeevalu, Advocate, Bangalore,

(3) " K. R. Gopivallabhiengar, Advocate, Bangalore,

proposed in his letter of 16th July 1942 for appointment as Munsiffs as and when vacancies arise.

The subject was considered at a meeting of the Council of Ministers held on 26th November 1942 and the following resolution was recorded:-

> "Subject to further consultation with the High Court regarding communal proportion and other points discussed in connection with the selection of Munsiffs, the proposal of the High Court to appoint the following as Munsiffs as vacancies arise may be approved:-
>
> 1) Mr. B. Thimmapparaj Urs, Pleader, Mysore.
> 2) " R. Sanjeevalu, Advocate, Bangalore.
> 3) " K. R. Gopivallabhiengar, Advocate, Bangalore.

The

46)

The High Court is being consulted on the other points.

I solicit the gracious sanction of His Highness to the above resolution of the Council and to the approval of the three candidates recommended by the High Court for appointment as Munsiffs as and when vacancies arise.

Camp,
3rd December, 1942.

MINISTER FOR LAW.

47)

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Law on the subject of the proposal of the High Court to appoint certain candidates as Munsiffs when vacancies arise.

It was understood that it was His Highness's wish that in connection with these nominations, something should be done, if possible, for Mr. D.R. Narasinga Rao, son of Mr. D.K. Rama Rao, retired Judge of the High Court. Accordingly I have consulted the Chief Justice and the correspondence which passed between us on this subject is kept below.

Pending the disposal of Mr. D.R. Narasinga Rao's case, I beg to suggest that the proposal to appoint the following gentlemen as Munsiffs when vacancies arise may be graciously approved:-

1. Mr. B. Thimmapparaj Urs, Pleader, Mysore.
2. Mr. R. Sanjeevalu, Advocate, Bangalore.

N Madhava Rao

Bangalore,
1st March 1943.

D E W A N.

Record of Cases submitted for the Orders of His Highness the Maharaja.

No 637
2.3.43

Subject.

Proposal to appoint certain candidates as Munsiffs when vacancies arise.

Order.

3/3/'43.

No-637

Chief Sec,
7/3/43

General and Revenue

Secretariat.

C 994.347. 49

SUBJECT:—

Proposal to appoint certain candidates as Munsiffs when vacancies arise.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules of the Mysore Government Business Rules.) (*)

Chief Secretary to Government. 8/3

Through the Secretary to Government,

Law
.....Department.

8.3.43

7788/11.3.43

Minister for Finance and Revenue.

12.3.43

~~Minister for Law.~~

4771/5/3

Minister for Education. 8.3.43

7383/9/3

Minister for Local Self-Govt. and Public Health. 9.3.43

Law secy. 13/3

NOTE.—Contn. sheet

WD 0718—GPB—1,000—11-9-42

Need not issue. Keep for reference in the file. 4/3

13-3-43

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

No..... *Dated Bangalore,* *19*

P. 4526/Cts. 220-41-2 1st April 42

NOTIFICATION.

Mr.R.P.Vasudeo, B.A., B.L., Munsiff in charge of the First Munsiff's Court, Bangalore is posted to the charge of the Second City Magistrate's Court, Bangalore, with effect from 6th April 1942.

By Order,

Sd/- H.V.NARAYANA RAO.
Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication in the Gazette.

Memo No.P. 4534-6.
Dated, Bangalore, the 22nd April 1942.

Copy of the above is forwarded with compliments to the

TH-12)
1/4.

By Order,

For Secretary to Government,
Law Department.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

No. 4527/Cts. 220-41-3 Dated Bangalore, 2nd April 42

NOTIFICATION.

Mr. V.C. Ramachandran, B.A., B.Sc., Bar-at-Law is posted to the charge of the Munsiff-Magistrate's Court, Narasimharajapura vice Mr. A. A. Majid, B.A., B.L., permitted to avail ~~ex~~ himself of the Civil Courts vacation from 6th April 1942 to 16th May 1942.

By Order,

Sd/- H.V.NARAYANA RAO.
Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication in the Gazette.

Memo No.P.

Dated, Bangalore, 2nd April 1942.

Copy of the above is forwarded with compliments to the

By Order;

For Secretary to Government.

Law Dept.

TN-12)
3/4)

CL 220-41-3

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

Notification

Mr V. C. Ramachandran, B.A., B.Sc., Bar-at-Law is posted to the Charge of the Munsiff-Magistrate's Court Narasimharajapura vice Mr A. A. Majid B.A. B.L. permitted to avail himself of the Civil Courts Vacation from 6th April 1942 to 16th May 1942.

B-D.

Hm 11/4/42

Secy to Govt Law Dept

To

The Comptr Mysore Gazette for publication

Copy to (1) The Reg. Kolar Comr
(2) The Dy. Kadur
(3) The Comptroller & Govt

1110

No. P 4537-9 dt 2.4.42

WD 0436—GPB—10,000—17-10-38.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

No. P.4528/Cts. 220-41-4 *Dated Bangalore,* 2nd April *19* 42

NOTIFICATION.

Mr. G. Chinnaraya Reddi, B.A., LL.B., Acting Munsiff in charge of the Second City Magistrate's Court, Bangalore is posted to the charge of the Munsiff-Magistrate's Court at Hunsur vice Mr.C.V. Channappa, B.A., B.L., permitted to avail himself of the Civil Courts vacation from 6th April 1942 to 16th May 1942.

By Order,

Sd/- H.V.NARAYANA RAO.

Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication in the Gazette.

Memo No.P. 4540-2

Dated, Bangalore, the 2nd April 1942.

TR-12) 2/4). Copy of the above is forwarded with compliments to the

By Order,

For Secretary to Government,
Law Department.

C/S 220-41-4

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

O. 45'28

1110

No. P 4540-2 22.4.42

WD 0436—GPB—10,000—17-10-33

Till Notification

Mr G. Chinnaraya Reddi, B.A. L.L.B, acting Munsif in Charge of the Second City Magistrate's Court Bangalore is posted to the Charge of the Munsif-Magistrate's Court at Hunsur Vice Mr C.V. Channappa B.A.B.L. permitted to avail himself of the Civil Courts vacation from 6th April 1942 to 16th May 1942

B.O.

HM 21/4/42

Secy to Govt

Law Dept

To compiler

The Regr Mysore Gazette

Copy to (1) The Regr. HC

(2) The Dist Registrar

(3) The Complainant

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

P.4829/Cts. 220-41-5 General and Revenue Secretariat 42

No..... *Dated Bangalore,* *19*

NOTIFICATION.

Mr. T. N. Hallappa, B.A., LL.B., Munsiff, First Grade (on leave) is appointed to act as Subordinate Judge and posted to the charge of the Court of the First Magistrate and Additional Subordinate Judge, Kolar, with effect from 6th April 1942 vice Mr.B.C.Ramakrishna Iyengar, B.A., LL.B., permitted to avail himself of the Civil Courts vacation of 1942.

By Order,

Sd/- H.V.NARAYANA RAO.
Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication in the Gazette.

Memo No.P. 4543-S Dated, Bangalore, the 2nd April 1942.

Copy of the above is forwarded with compliments to the

By Order,

TU-12)
2/4.

For Secretary to Government,
Law Department.

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

C/S 220-41-5

IV

Notification

Mr T. N. Mallappa, B.A. LL.B, Munsiff First Grade (on leave) is appointed to act as Subordinate Judge and posted to the Charge of the Court of the First Magistrate and Additional Subordinate Judge Kolar with effect from 6th April 1942 Vice Mr B.G. Ramakrishna Iyengar B.A. LL.B permitted to avail himself of the Civil Courts Vacation of 1942.

B.O.

Hm 1/4/42

Secy to Govt
Law Dept

To.
The Compiler M.G.
&
The Accountant-Gl.
(2) The Dy Secretary
(3) The Compiler
G.O.

P 4529

1110
2/4

No. P 4523-5 & 2-4-42

WD 0436—GPB—10,000—17-10-33

No. P 4992/Ch dt 1.5.42

Confidential

Dear Sir,

I am desired to invite your reference to your letter Roc. No.1167 /41-42 dated 28th March 1942, regarding the appointment of Messrs. S.N.Anantharaj, Abdul Basith and ~~R. Krishna Setty~~ V. Narasimha Murthi as Munsiffs to be posted as Munsiff Magistrates and to request ~~to be~~ that Govt. may please be informed if these recommendations are in accordance with the ~~proposals made~~ procedure proposed by the High Court and accepted by Government in their order No. P.5034-36 dated 11th March 1935.

2) I am also to request that the length of service of Messrs Anantharaj & V. Narasimha Murthi and Mr. Abdul Basith in the Bar may also be kindly intimated for the information of the Govt.

Yours sincerely,

for

T. Shama Iyengar, Esq., B.A., B.L.,
Registrar, High Court of Mysore.

5991/94,

41-42.

Bangalore,

5 M a y 1942.

Sir,

With reference to your D.O.No.P.4992/Cts. dated 1st 1942 requesting that the Government may be informed if the commendations for Munsiffs' posts made by the High Court in O.C.No.1167/41-42 dated 28th March 1942 are in accordance with the procedure proposed by the High Court and accepted by Government in their Order No.P.5034-36 dated 11th March 1935 and calling for certain information regarding the candidates proposed, I am directed to state that the Judges of the High Court did not think it necessary for the purpose of selecting candidates for appointment as Munsiffs to hold any test in judgment writing after 1935.

Regarding the information about the candidates proposed, I write to state that Mr.S.N.Anantharaj entered service on 1-8-1923 and has put in about 19 years of service and Mr.V.Narasimha Murthy entered service on 30-4-1931 and has put in 11 years of service. Mr.C.Abdul Basith was enrolled as an Advocate on 25-9-1936.

Yours sincerely,

J. Shamiengar

To

K. Pherozeshah Poonegar, Esq., B.A., LL.B.,
Assistant Secretary to Government,
Law Department, General & Revenue Secretariat,
B A N G A L O R E.

5 MAY 1942

M. CAN
2/5/5

10/7/42

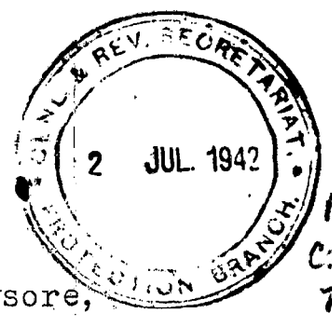
Urgent

R.O.C. 1524/41-42

Bangalore
Dated 1st July 1942.

From

N. Samaiengar, Esq., B.A.,LL.B.,
Registrar, High Court of Mysore,
B A N G A L O R E.



To

A. Sundararaja Rao, Esq., B.A.,B.L.,
Secretary to the Government of Mysore,
Law Department, BANGALORE.

Sir,

I am directed to state that Mr. G.Natarajan, B.A.,B.L., Munsiff of Closepet, has applied for a month's furlough on full average salary from 15 July 1942 on account of urgent domestic affairs and a formal application for leave in that behalf has this day been forwarded to you through the Comptroller I am to recommend that the leave may be granted.

2. As it is necessary to appoint an acting officer during the above period, the High Court recommends that Mr.V. Narasimha Murthy, M.A.,LL.B., Superintendent of the Administration Branch in the High Court, who is the candidat next after Mr. C. Abdul Basith (recommended to act as Munsiff-Magistrate, Hunsur, in my letter R.O.C.No.1574/41-42, sent to-day), whom the Judges of the High Court have selected, be appointed to act as Munsiff, 2nd grade, and posted to the charge of the Munsiff's Court at Closepet, during the period or until further orders.

3. I am to request the Government for early orders.

I have the honour to be,
Sir,
our most obedient servant,

N. Samaiengar
REGISTRAR.

19/1942
P 642

Immediate

R.O.C. No. 1574/41-42

Bangalore

Dated 1st July 1942.

From

N. Samaiengar, Esq., B.A.,LL.B.,
Registrar, High Court of Mysore,
Bangalore.

2 JUL. 1942

To

A. Sundararaja Rao, Esq., B.A.,B.L.,
Secretary to the Government of Mysore,
Law Department, BANGALORE.

Sir,

I am directed to state that Mr. C.V. Channappa,B.A.,B.L. Munsiff-Magistrate, Hunsur, has applied for leave for one month from 9th July 1942 on account of urgent private affairs and a formal application in that behalf has this day been forwarded to you through the Comptroller. I am to recommend that the leave may be granted.

2. As the Court cannot be left without a presiding officer during the period, the High Court recommends that Mr. C. Abdul Basith, B.A.,LL.B., Advocate, Bangalore, the candidate next after Mr. S.N. Anantha Raj (who has recently been appointed to act as Munsiff in Government Notification No.P.5880/Cts. 6-41-71, dated 30th June 1942) whom ~~the Judges of~~ the Judges of the High Court have selected, be appointed to act as Munsiff, 2nd grade, and posted to the charge of the Munsiff-Magistrate's Court at Hunsur during the period or until further orders.

(w.t with a D.F.N separately)

3. I am to request the Government to issue orders as soon as possible.

I have the honour to be,
Sir,
Your most obedient servant,

N. Samaiengar

REGISTRAR.

5822/42

D. O.

HIGH COURT
OF MYSORE,
BANGALORE.

20 July 1942.

Dear Mr. Ramanathan,

You asked me last Saturday how many Brahmin and how many non-Brahmin Judges and Munsiffs there were in the Judicial Department.

Excluding the 6 Judges of the High Court, of whom, as you know, 3 are Brahmins and 3 non-Brahmins, I find that there are among permanent District Judges, Subordinate Judges and Munsiffs 22 Brahmins and 28 non-Brahmins: among acting Munsiffs there are 4 Brahmins and 7 non-Brahmins. Altogether therefore, excluding the High Court, there are 26 Brahmin officers and 35 non-Brahmins.

Yours sincerely
D'Arcy Reilly

Rajasevaprasakta
A.V.Ramanathan Esq.,
Minister for Law.

Comparative Statement showing the number of Munsiffs by communities in 1933 and 1942.

	1933	%	1942.	%
1. Brahmin Hindus.	21.	55.2	14	35.9
2. Non-Brahmin Hindus	10	26.3	19	48.7
3. Muslims	4	10.5	3	7.7
4. Parsees	1	2.5	..	-
5. Jains	1	2.5	2	5.3
6. Christians	1	2.5	1	2.6
Total number in the cadre .	38		39	

DEWAN OF MYSORE

D.O. No. C.H. 32

Cont on File

BANGALORE.

28th July 1942.

My dear Mr. Thumboo Chetty,

Referring to File No. 98 (proposal to appoint Messrs. C. Abdul Basith and V. Narasimha Murthy as acting Munsiffs) submitted on the 26th for the orders of His Highness the Maharaja, I am sending you herewith for reference some of the old collections bearing on the question of recruitment to the grade of Munsiffs, as well as a recent letter of the Chief Justice in regard to the appointments of Munsiffs now proposed. (X)

Yours sincerely,

M. Mariappa

Rajasabhabhushana
T. Thumboo Chetty, Esq., O.B.E.,
Private Secretary to His Highness
The Maharaja of Mysore,
MYSORE.

(X) also a comprehensive statement showing the number of Munsiffs by Communities in 1933 & 1942

Comparative Statement showing the number of Munsiffs by communities in 1933 and 1942.

1933	No.	%	No.	1942. %
1. Brahmin Hindus.	21.	55.2	14	35.9
2. Non-Brahmin Hindus	10	26.3	19	48.7
3. Muslims	4	10.5	3	7.7
4. Parsees	1	2.5	..	-
5. Jains	1	2.5	2	5.3
6. Christians	1	2.5	1	2.6
Total number in the cadre .	38	100	39	100

108 342
Immediate
N 9295 42

193

FROM

The Registrar,
High Court of Mysore,
BANGALORE.

To

THE SECRETARY TO THE
GOVERNMENT OF MYSORE,
LAW DEPARTMENT.

Through the Comptroller to the Government of Mysore.

Dated 1st July, 1942.

Despatched

Received

General No. R.O.C. No. 74/41-42

No.

Enclosure No.

Sir,

I am directed to forward ~~Undersigned by the order to submit~~ an application for leave, on behalf of Mr. C.V. Channappa, B.A., B.L., Munsiff-Magistrate, Hunsur, the particulars of which are given overleaf.

Applicant has recorded the declaration prescribed in Section 442 of the Mysore Service Regulations

I have the honour to be
Sir,
Your most obedient servant

REGISTRAR.

To be omitted in cases other than privilege leave.

G.S.L. & REV. SECRETARIAT. 6 JUL 1942 PROTECTION BRANCH.

SECY. LAW DEPT. 6 JULY 1942 GOVT OF MYSORE

Memo No: 18 A.A.O dated 6.7.42
Forwarded with Compliments to the Secretary to Govt Law Department
Leave certificate No 2/42 on behalf of the Officer to be sent

M. Krishnamoorthy
Jr Comptr.

WD 03168—GPB—2,000—14-8-37

COMPTROLLER'S OFFICE
2 JULY 1942
BANGALORE.
216

APPLICATION FOR LEAVE.

1.	Name of applicant	Mr. C.V. Channappa, B.A., B.L.,
2.	Rank and salary including allowances	Munsiff, 1st Grade, Rs.290/-
3.	District and station	Mysore District, Hunsur.
4	Nature of leave applied for and section of the Service Regulations applicable.	Furlough on full average salary -- Art. 209, M.S.R. -- for one month
5	From what date	From 9th July 1942 or date of relief.
6.	Number and date of Comptroller's certificate in support of the title to the leave, period and nature of the leave certified to.	
	Arrangements proposed for conduct of applicant's duties during his absence, and qualifications of the proposed officiator.	Separate letter addressed to Government.
	Other remarks, if any, such as necessity, urgency, etc.	Urgent private affairs.

M. Samaiengar

REGISTRAR.

C. O. $\frac{11}{\text{G. A. D.}}$

COMPTROLLER'S OFFICE.

Finl.]

BANGALORE,

No. 2

Dated 4th July 1942

LEAVE CERTIFICATE.

Certified that Mr C.N. Channappa BA BL

Munsiff Magistrate Tumkur.

under the Mysore Government ~~is~~ will be entitled to Furlough on average salary for One month and three days on the 9th 9th July 1942

leave under Article 209 of the Mysore Service Regulations.

Forwarded to the .....

with reference to his docket No. ..... dated 193

M. Krishnamoorthy
For
Asst. Comptroller

2 drfts No. P939 Ch 14-42-11 & 8.8.42

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Notification

Under Article 209 Of the Mysore Service Regulations Mr C. V. Channappa, B.A., B.L., Munsiff, First Grade in Charge of the Court Of the Munsiff-Magistrate, Hunsur is granted furlough on full average salary for one month from the date Of relief.

Mr C. Abdul Basith, B.A., LL.B., Advocate, Bangalore is appointed to act as Munsiff Second Grade and posted to the Charge of the Court Of the Munsiff-Magistrate Hunsur during the above period or until further orders.

By order

8-8-42

Secretary to Govt
Law Dept.

To
The Compiler Mysore Gazette

No. P 940-42 & 8-8-42

Copy to (1) The Registrar High Court
(2) The Dy. Mysore Bills
(3) The Comptroller to Govt

WD 0282—GPB—22,500—14-3-38

24

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No.P.939/Ctn.14-42-11 General and Revenue Secretariat,

Dated Bangalore, 8th August 1942.

NOTIFICATION.

Under Article 200 of the Mysore Service Regulations Mr. C .V. Channappa, B.A., B.L., Munsiff, First Grade, in charge of the Court of the Munsiff-Magistrate, Hunsur is granted furlough on full average salary for one month from the date of relief.

Mr. C . Abdul Rasith, B.A., LL.B., Advocate, Bangalore is appointed to act as Munsiff Second Grade and posted to the charge of the Court of the Munsiff-Magistrate, Hunsur during the above period or until further orders.

By order,

Secretary to Government
Law Department.

To

The Compiler, Mysore Gazette, for publication in the Gazette.

KMHS.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. .....
4.939/Sta.14-4-41

General and Revenue Secretariat,

Dated Bangalore, 8th August 1942.

NOTIFICATION.

Under Article 209 of the Mysore Service Regulations Mr. C.V. Channappa, B.A., B.L., Munsiff, First Grade, in charge of the Court of the Munsiff-Magistrate, Hunsur is granted furlough on full average salary for one month from the date of relief.

Mr. S. Abdul Kaleth, B.A., LL.B., Advocate, Bangalore is appointed to act as Munsiff Second Grade and posted to the charge of the Court of the Munsiff-Magistrate, Hunsur during the above period or until further orders.

By order,

Secretary to Government.
Department.

To

The Compiler, Mysore Gazette, for publication in the Gazette.

D.O. No. P/1582 2.9.42

I am ~~writing~~ desirt to invite reference to the High Court Registrar's letters No.ROC. 1524/41-42 and No.ROC.1574/41-42 dated 1st July 1942, recommending the appointment of Messrs. V. Narasimha Murthy and C. Abdul Basith, as acting Munsiffs, Second Grade in certain vacancies, and to state that the recommendation of the High Court in this behalf, was accepted.

In this connection, the ~~question~~ method of selection of candidates for appointment as Munsiffs ~~engaged the attention of the Govern-ment and after giving their earnest con-sideration to every aspect of the question,~~ has been discussed afresh with you. As a result of the discussion, the Govt ~~they have come to the conclusion~~ consider that in making future selections, a suitable test may be adopted as decided by them in 1935 by the High Court and ~~two~~ two lists, one for Brahmin and another for Non-Brahmin candidates ~~might be~~ may be sent to the Government for approval. ~~The High Court~~ This will facilitate subsequent posting of Munsiffs by the High Court as vacancies occur, without delay ~~for approval in each individual case~~.

Government will be glad if necessary action is taken by the High Court in the matter.

Chief Secy

Sir D'Arcy Reilly, I.C.S.(Retd.),
Chief Justice,
High Court of Mysore.

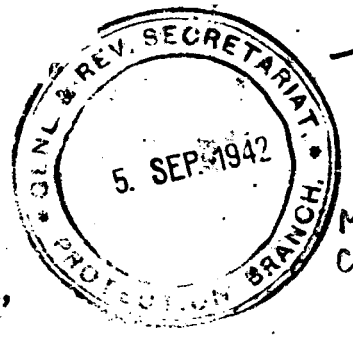
knns.1

Acc 20-6-42

1447/42 P

HIGH COURT
OF MYSORE,
BANGALORE

3rd September 1942.



Dear Mr. Mehkri,

Thank you for your D.O.letter P1582 of 1 September which I received today, regarding the selection of Munsiffs after a test and their arrangement in lists of Brahmins and non-Brahmins. I will consult the other Judges on the subject and let you know whether they agree to the proposals.

I presume that the Government remember that, when a "test" was made by the High Court a few years ago to assist the Judges in selecting candidates, a good many people objected that a competitive examination had been held and it was difficult to convince some of them that it was not so. The Government were pestered with questions on the subject for a long time.

Yours sincerely

P. D'Arcy Rainy

Mothamad-ul-Mulk
M.G.Mehkri Esq.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

1563/42

9 September 1942.

Dear Mr. Mehkri,

I have consulted the other Judges of the High Court about the proposal made in your D.O. letter P1582 of 1 September. After full consideration we have come to the conclusion that it is neither necessary nor desirable to hold a test examination to assist us in selecting candidates for nomination to Munsiffs' appointments. There are reasons why such a test might well be unsatisfactory; and with six Judges in the Court we either know or can ascertain without difficulty who are the suitable candidates

May I now request that the nomination of the three candidates mentioned in my letter to you of 16 July last, who have not yet been appointed to act as Munsiffs, viz.

Mr. B.Thimmapparaj Urs, Pleader of Mysore,

Mr. R.Sanjeevalu, Advocate of Bangalore, and

Mr. K.R.Gopivallabhiengar, Advocate of Bangalore,

may be approved?

D'Arcy Lindsay

Mothamad-ul-Mulk
M.G.Mehkri Esq.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

GEN. & REV. SECRETARIAT. 10 SEP 1942 PROTECTION BRANCH